

UNITED STATES DISTRICT COURT
for the
Southern District of Texas

United States District Court
Southern District of Texas
FILED

AUG 29 2014

United States of America)	Case No. M-14-1679-M
v.)	
Maximiliano CANTU)	
YOB: 1957 Citizenship: USC)	

David J. Bradley, Clerk

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 28, 2014 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

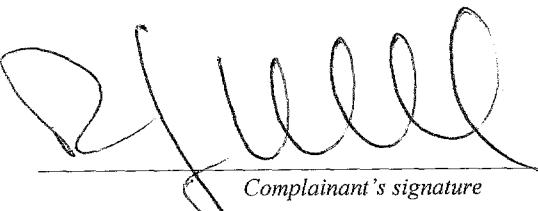
<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2252A (a) (2) (A)	Receipt of Child Pornography
18 U.S.C. § 2252A (a) (5) (B)	Possession of Child Pornography

This criminal complaint is based on these facts:

On August 7, 2014, at approximately 9:50 a.m., Homeland Security Investigations, McAllen, Texas, Special Agent (SA) Richard L. Ullrich began an Internet investigation to identify persons using the peer-to-peer (P2P) software on the Internet to traffic in child pornography.

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.



Complainant's signature

Richard L. Ullrich, U.S. HSI Special Agent

Printed name and title

*Approved to file
Katelyn Taylor
AUSA*

Sworn to before me and signed in my presence.

Date: 8/29/2014

3:55 pm



Peter Ormsby

U.S. Magistrate Judge Peter Ormsby

Printed name and title

City and state: McAllen, Texas

Attachment "A"

On August 7, 2014, at approximately 9:50 a.m., Department of Homeland Security, Homeland Security Investigation (HSI), McAllen, Texas, Special Agent (SA) Richard L. Ullrich began an Internet investigation to identify persons using the peer-to-peer (P2P) software on the Internet to traffic in child pornography. SA Ullrich identified a computer, located at IP (Internet Protocol) 108.219.74.119 as offering to participate in the distribution of movies with titles that were suggestive of child pornography. Further investigation performed on IP 108.219.74.119 revealed that the same IP address was utilized from the Guerra residence in McAllen, Texas.

On August 28, 2014, HSI McAllen, Texas, executed a federal search warrant on the Guerra residence in McAllen, Texas. During the execution of the search warrant agents encountered Maximiliano CANTU, who resides on the Guerra property. The search warrant was executed without incident resulting in the seizure of 7 computers.

On August 28, 2014, Maximiliano CANTU was interviewed by SA Ullrich, and SA Jason Jupe. CANTU was read his rights in English by SA Ullrich from a preprinted form, as witnessed by SA Jupe. CANTU stated that he understood his rights, waived his rights, and agreed to an interview.

CANTU stated that he did in fact download child pornography from the Internet, and was in fact currently in possession of child pornography within his computer, and that he was aware that it was illegal to possess images and movies of child pornography. CANTU additionally stated that he was aware that the child pornography videos in his computer would be shared with other users.

A preliminary computer forensics review of CANTU's computer revealed a folder which contained numerous video files of child pornography.

Assistant United States Attorney James Sturgis was briefed regarding the aforementioned and Federal Prosecution was accepted.